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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/864,720

05/24/2001

Mats Tuneld

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2798

23932

7590

01/27/2005

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EXAMINER

PAULA, CESAR B

ART UNIT

PAPER NUMBER

2178

DATE MAILED: 01/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Applicati n N .		Applicant(s)	
	09/864,720		TUNELD ET AL.	
	Examiner		Art Unit	
	CESAR B PAULA		2178	

**-- The MAILING DATE of this communication appears on the cover sheet with the c rrespondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1)☒ Responsive to communication(s) filed on 08 October 2004.
- 2a)☒ This action is **FINAL**.                      2b)☐ This action is non-final.
- 3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4)☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5)☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6)☒ Claim(s) 1-33 is/are rejected.
- 7)☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8)☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9)☐ The specification is objected to by the Examiner.
- 10)☐ The drawing(s) filed on \_\_\_\_\_ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11)☐ The proposed drawing correction filed on \_\_\_\_\_ is: a)☐ approved b)☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12)☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a)☒ All   b)☐ Some \* c)☐ None of:
- 1.☒ Certified copies of the priority documents have been received.
- 2.☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
- 3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                             | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

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### **DETAILED ACTION**

1. This action is responsive to the amendment, and IDS filed on 10/8/2004.

**This action is made Final.**

2. In the amendment, claims 26-33 have been added. Claims 1-33 are pending in the case. Claims 1, and 13 are independent claims.

### ***Information Disclosure Statement***

3. The information disclosure statement (IDS) submitted on 3/25/2002 has been entered, and considered by the examiner. The information disclosure statement filed 10/08/04 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because there is no explanation of relevance for CN 1190316 A, which is in the Chinese language. It has been placed in the application file, but the information referred to therein has not been considered as to the merits. Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609 ¶ C(1).

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***Priority***

4. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d), and based on PCT applications # /CN00/00132, and /CN01/00732 filed in China on 5/26/2000, and 5/10/2001 respectively, which papers have been placed of record in the file.

***Drawings***

5. The drawings filed on 11/21/2001 have been approved by the examiner.

***Claim Rejections - 35 USC § 112***

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. The rejections of claims 1-10, and 13-22 rejected under 35 U.S.C. 112, second paragraph, as being indefinite, have been withdrawn as necessitated by the amendment.. However, claims 11-12, and 23-25 remain rejected.

8. Claims 11-12 are in a Markush format, which is not permitted, since it is an open ended format, using "comprising" (claim 11, line 2), instead of "consisting", please see MPEP 2173.05(h). "Consisting" is the proper language, which indicates a closed-ended limitation.

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9. Claims 23-25 are in a Markush format, which is not permitted, since they contain an open ended format, using “comprises” (claim 23, line 2), instead of “consisting”, please see MPEP 2173.05(h). “Consisting” is the proper language, which indicates a closed-ended limitation.

***Claim Rejections - 35 USC § 102***

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

11. Claims 1-25 remain, and claims 26-33 are rejected under 35 U.S.C. 102(e) as being anticipated by Windows 98 Explorer screendumps, 1998, fig. 1-8.

Regarding independent claim 1, Explorer teaches a "Views" menu for selecting one of different ways (details, and list criteria) of sorting directory strings (fig.1). The “list”, and “details” sort criteria, sorts based on the textual description—*string-object information*-- of the data files in a computer system

Moreover, Explorer teaches the sorting, and displaying of the directory strings through the selection of a menu selection such as "List" selection (fig.2).

Regarding claim 2, which depends on claim 1, Explorer teaches a list of words-- *identifier*-- describing the various selections in the "Views" menu (fig.1). A user has the option

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of selecting one of the words in the menu to select different sorting criteria (fig.2). If none of the identifiers is chosen, then a default sorting criteria or order is used, such as the "Details" sorting criteria for the display of the directory strings (fig.1).

Regarding claim 3, which depends on claim 1, Explorer teaches that the "Details" sorting criteria is preselected by the user, such that when the explorer window is closed, and then opened again, the last criteria selected--*preselected before the window is opened again*-- by the user is the one used for the display of the directory strings (fig.1).

Regarding claim 4, which depends on claim 1, Explorer teaches further classifying the directory strings into groups according to large icons (fig.3).

Moreover, Explorer teaches selecting the "Program Files" group directory and displaying the string textual name or descriptions of the subdirectories within this directory using the "details" selection from the "Views" option, which is different than the "List" display of the program groups (fig.4-5).

Regarding claim 5, which depends on claim 1, Explorer teaches further classifying the directory strings into groups according to large icons (fig.3).

Moreover, Explorer teaches selecting the "Program Files" group directory and displaying the string textual name or descriptions of the subdirectories within this directory using the "details" selection from the "Views" option, and using the mouse cursor to select subdirectories, such as "accessories", which has a box around it (fig.4-5).

Regarding claim 6, which depends on claim 4, Explorer teaches selecting the “Program Files” group directory and displaying the string textual name or descriptions of the subdirectories within this directory by selecting and highlighting all the subdirectories text strings (fig.4-5, 8).

Regarding claim 7, which depends on claims 4 or 5, Explorer teaches that different display options for the group of documents. These options have textual identifiers or names, such as “Large Icons”. If no option is selected, then the system simply displays a default option, such as “Large Icons” , which is different from the other options in the “Views” menu (fig.3).

Regarding claim 8, which depends on claim 7, Explorer teaches that the different display options for the group of documents are displayed simultaneously in a menu window. The directory textual names or descriptors are resorted once a grouping has been selected, such as “List”, which is different from the other options in the “Views” menu (fig.3, and 8).

Regarding claim 9, which depends on claim 7, Explorer teaches that if no option is selected, then the system simply displays a default option, such as “Large Icons” , which is selected before hand by the user (fig.3).

Regarding claim 10, which depends on claim 5, Explorer teaches the display of directories or group names—*identifiers*-- based on the number of directories stored in the computer (fig.3).

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Regarding claim 11, which depends on any of claim 1, Explorer teaches a pc computer system for storing file directories, and displaying them in alphabetic order (fig.1).

Regarding claim 12, which depends on claim 1, Explorer teaches the display of directories or group names, and file names, such as "config.sys" (fig.2-3).

Regarding independent claim 13, Explorer teaches a pc computer system for storing file directories, and their respective names or textual strings (fig.1).

Moreover, Explorer teaches the inputting of commands to the computer using a keyboard or mouse used to select menus and directory files.

Moreover, Explorer discloses sorting of the directory strings retrieved from the computer through the selection of a menu selection such as "List" option, and displaying the sorted result on the display (fig.2-4).

Claims 14-24 are directed towards a computer system for implementing the steps found in claims 1-10, and 11-12 respectively, and therefore are similarly rejected.

Regarding claim 25, which depends on claim 13, Explorer teaches a pc computer system for storing file directories, and their respective names or textual strings (fig.1).

Regarding claim 26, which depends on claim 2, Explorer teaches a list of words--*identifier*-- describing the various selections in the "Views" menu (fig.1). The "Details" sorting criteria for the display of the directory strings is the default sorting criteria, chosen by the Explorer program. For example, if the user exits explorer, where the "Details" criteria selected, this criteria is the same used when the program is invoked next time.

Regarding claim 27, which depends on claim 2, Explorer teaches a list of words--*identifier*-- describing the various selections in the "Views" menu (fig.1). The "Details" sorting criteria for the display of the directory strings is the default sorting criteria, chosen by the Explorer program--*algorithm*.

Claims 28-29 are directed towards a method similar to the steps found in claims 26-27 respectively, and therefore are similarly rejected.

Claims 30-33 are directed towards an apparatus for implementing the steps found in claims 26-27, and 26-27 respectively, and therefore are similarly rejected.

### ***Response to Arguments***

Applicant's arguments filed 10/8/04 have been fully considered but they are not persuasive. Regarding claims 1, Applicants note that Explorer fails to teach or suggest the newly added limitation of basing the sort criteria on string-object (page 9, lines 23-26). The Examiner disagrees, because Explorer teaches a "Views" menu for selecting one of different ways (details,

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and list criteria) of sorting directory strings (fig.1). The “list”, and “details” sort criteria, sorts based on the textual description—*string-object information*-- of the data files in a computer system

Moreover, Applicants submit that the “List and Details” view of Explorer do not present information based on different sort order criteria (page 10, lines 1-14). The Examiner disagrees with this assessment of Explorer, because as can be clearly seen, the files are sorted or rearranged according to the selection of the “Details or List” options—*sort order criteria*. The criteria is selected using either a details or list approach of sorting the file directories.

Claims 2-12, and new claims 26-33 are rejected at least based on their dependency on claim 1.

Claim 13 is rejected at least based on the similar subject matter found in claim 1, which as has been clearly seen above is taught by Explorer.

### ***Conclusion***

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

I. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cesar B. Paula whose telephone number is (571) 272-4128. The examiner can normally be reached on Monday through Friday (every other Friday off) from 8:00 a.m. to 4:00 p.m. (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong, can be reached on (571) 272-4124. However, in such a case, please allow at least one business day.

Information regarding the status of an application may be obtained from the Patent Application Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, go to <http://portal.uspto.gov/external/portal/pair>. Should you have any questions about access to the Private PAIR system, please contact the Electronic Business Center (EBC) at 866 217-9197 (toll-free).

Any response to this Action should be mailed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450


Or faxed to:

Application/Control Number: 09/864,720

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- (703) 703-872-9306, (for all Formal communications intended for entry)

  
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1/21/05